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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

INTEL CORPORATION and APPLE INC.,  
  
Plaintiffs,

v.

FORTRESS INVESTMENT GROUP LLC,  
FORTRESS CREDIT CO. LLC, UNILOC  
2017 LLC, UNILOC USA, INC., UNILOC  
LUXEMBOURG S.A.R.L., VLSI  
TECHNOLOGY LLC, INVT SPE LLC,  
INVENTERGY GLOBAL, INC., and IXI IP,  
LLC,

Defendants.

Case No. 3:19-cv-07651-EMC

**INTEL CORPORATION AND APPLE  
INC.'S ADMINISTRATIVE MOTION TO  
FILE MEMORANDUM OF POINTS  
AND AUTHORITIES IN OPPOSITION  
TO DEFENDANTS' JOINT MOTION TO  
DISMISS UNDER SEAL**

1 In accordance with Civil Local Rules 7-11 and 79-5, Intel Corporation (“Intel”) and  
2 Apple Inc. (“Apple”) submit this motion for an order to seal limited portions of Plaintiffs’  
3 Memorandum of Points and Authorities in Opposition to Defendants’ Joint Motion to Dismiss and to  
4 Strike Plaintiffs’ Second Amended Complaint (“Opposition to Motion to Dismiss”).

5 As set forth in the Declaration of Mark D. Selwyn in Support of Intel and Apple’s  
6 Administrative Motion to File Memorandum of Points and Authorities in Opposition to Defendants’  
7 Joint Motion to Dismiss Under Seal (“Selwyn Decl.”), portions of the Opposition to Motion to  
8 Dismiss contain information regarding licensing negotiations between Intel and one or more  
9 defendants or non-parties (“Interested Parties”), which the Court sealed in Intel and Apple’s  
10 Amended Complaint and in Intel and Apple’s Second Amended Complaint. Selwyn Decl. ¶ 2. Intel  
11 and Apple understand that the Interested Parties may seek to file further declarations in support of  
12 sealing this information. Selwyn Decl. ¶ 3.

13 Portions of the Opposition to Motion to Dismiss contain information regarding damages  
14 claims made by Defendant VLSI Technology LLC (“VLSI”) in other litigations. Apple understands  
15 that VLSI may consider this information to be Highly Confidential – Attorneys’ Eyes Only. The  
16 Court previously sealed the information about VLSI’s damages contentions in Intel and Apple’s  
17 Second Amended Complaint. ECF No. 238 at 2. Intel agreed to file VLSI’s damages contentions  
18 under seal when it sought relief from the protective order in *VLSI Technology LLC v. Intel*  
19 *Corporation*, Case No. 1:18-cv-00966-CFC-CJB. *Id.*, ECF No. 687; *see also id.*, ECF No. 693  
20 (granting Intel’s motion for relief). Intel and Apple understand that VLSI may seek to file further  
21 declarations in support of sealing this information. Selwyn Decl., ¶¶ 4-5.

22 Portions of the Opposition to Motion to Dismiss contain information about VLSI’s patent  
23 purchase agreements with third parties. The Court previously sealed the information about VLSI’s  
24 patent purchase agreements with third parties in Intel and Apple’s Second Amended Complaint.  
25 ECF No. 238 at 2. Intel agreed to file this information under seal when it sought relief from the  
26 protective order in *VLSI Technology LLC v. Intel Corporation*, Case No. 1:18-cv-00966-CFC-CJB.  
27 *Id.*, ECF No. 687; *see also id.*, ECF No. 693 (granting Intel’s motion for relief). Intel understands  
28

1 that VLSI considers this information to be Highly Confidential – Attorneys’ Eyes Only. Intel and  
 2 Apple expect that VLSI may seek to file a declaration in support of sealing this information. Selwyn  
 3 Decl., ¶¶ 6-7.

4  
 5 For the foregoing reasons, Intel and Apple move to file portions of the Opposition to Motion  
 6 to Dismiss under seal.

7  
 8 DATED: June 14, 2021

Respectfully submitted,

9 By: /s/ Mark D. Selwyn

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27 *Attorneys for Plaintiffs*  
 28 INTEL CORPORATION, APPLE INC.

**CERTIFICATE OF SERVICE**

On this 14th day of June 2021, I hereby certify that I caused the foregoing document entitled Intel Corporation and Apple Inc.'s Administrative Motion to File Memorandum of Points and Authorities in Opposition to Defendants' Joint Motion to Dismiss Under Seal to be filed via the court's CM/ECF system, which shall send notice to the counsel of record for the parties.

DATED: June 14, 2021

Respectfully submitted,

By: /s/ Mark D. Selwyn

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